Judge Sheri Bluebond, Presiding Courtroom 1539 Calendar

Wednesday, November 10, 2021

**Hearing Room** 

1539

10:00 AM 2:00-00000

Chapter

#0.00

All hearings scheduled for today are now simultaneously 1) In person in Courtroom 1539; 2) Via ZoomGov Video; 3) Via ZoomGov Audio. Parties are free to choose any of these options, unless otherwise ordered by the Court. Parties electing to appear in person shall comply with all requirements regarding social distancing, use of face masks, etc. which will be in effect at the time of the hearing and should be aware that (1) all parties will be required to wear a mask at all times, even when presenting oral argument and (2) Judge Bluebond will not be wearing a mask.

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Neither a Zoom nor a ZoomGov account is necessary to participate and no preregistration is required **but you must still notify Chambers at**<u>Chambers SBluebond@cacb.uscourts.gov</u> of your appearance". The audio portion of each hearing will be recorded electronically by the Court and constitutes its official record.

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https://www.cacb.uscourts.gov/judges/honorable-sheri-bluebond under the tab, "Telephonic Instructions."

**Hearing conducted by ZOOMGov.** 

Video/audio web address: <a href="https://cacb.zoomgov.com/j/16161090855">https://cacb.zoomgov.com/j/16161090855</a>

ZoomGov meeting number: 161 6109 0855

**Password: 148508** 

## Judge Sheri Bluebond, Presiding Courtroom 1539 Calendar

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10:00 AM CONT...

Chapter

**Telephone conference lines:** 1 (669) 254 5252 or 1 (646) 828 7666 (when prompted, enter meeting number and password shown above)

Docket 0

**Courtroom Deputy:** 

- NONE LISTED -

**Tentative Ruling:** 

- NONE LISTED -

Judge Sheri Bluebond, Presiding Courtroom 1539 Calendar

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2:21-17533 Nelson Enrique Giron

Chapter 7

#1.00 Order to Show Cause For Failure to Comply with 11 U.S.C. Section 109(h) re: Debtor received Credit Counseling Post Petition

Docket 24

### **Courtroom Deputy:**

- NONE LISTED -

### **Tentative Ruling:**

Debtor has now filed certificate of credit counseling, but that certificate reflects that counseling occurred post-petition, and debtor has not requested or obtained an exemption from *prepetition* credit counseling requirement. As debtor did not complete credit counseling within the 180 days *before* the commencement of the bankruptcy case, debtor is not eligible to be a debtor in this bankruptcy case.

Dismiss case. (Nothing precludes this debtor from refiling, but new filing would be debtor's second bankruptcy case within a year, meaning that automatic stay will terminate within 30 days unless debtor moves for and obtains an extension.)

The only instances in which this court has excused compliance with the express provisions of this section are when a chapter 7 trustee has requested that the case not be dismissed, as dismissal would not be in the best interest of creditors. That has not occurred in this case.

### **Party Information**

## **Debtor(s):**

Nelson Enrique Giron Represented By

Matthew D. Resnik

### **Trustee(s):**

David M Goodrich (TR)

Pro Se

11/10/2021 8:21:15 AM

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# United States Bankruptcy Court Central District of California Los Angeles Judge Sheri Bluebond, Presiding

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**CONT...** Nelson Enrique Giron

Chapter 7

# Judge Sheri Bluebond, Presiding Courtroom 1539 Calendar

Wednesday, November 10, 2021

**Hearing Room** 

1539

<u>10:00 AM</u>

## 2:21-15214 Community Therapies

Chapter 7

#2.00 Trustee's Motion For Order Authorizing Sale of Property free and clear of liens subject to overbid re: All of Debtor's Business Assets

Docket 117

### **Courtroom Deputy:**

ZoomGov Appearance by:

10/21/21 - Caroline Djang

11/10/21 - Iddo DeVries

11/10/21- Suzie Stenseth

11/10/21 - Najah Shariff

### **Tentative Ruling:**

If there are any parties interested in bidding, grant motion. Approve sale to highest bidder.

### **Party Information**

### **Debtor(s):**

Community Therapies Pro Se

**Trustee(s):** 

Wesley H Avery (TR)

Represented By

Caroline Djang

Judge Sheri Bluebond, Presiding Courtroom 1539 Calendar

Wednesday, November 10, 2021

**Hearing Room** 

1539

10:00 AM

**2:12-18016** Fidel Sanchez

Chapter 11

#3.00 Debtor's Motion in Chapter 11 case to Obtain an Order of Discharge pursuant to 11 U.S.C. Sec.1141(d)(5) and Final Decree and an Order closing Chapter 11 case

Docket 99
\*\*\* VACATED \*\*\* REASON: GRANTED. APPEARANCES WAIVED

### **Courtroom Deputy:**

- NONE LISTED -

## **Tentative Ruling:**

Grant motion. Waive appearances. Authorize debtor to upload order directing clerk to enter discharge order.

## **Party Information**

### **Debtor(s):**

Fidel Sanchez

Represented By
Anthony Obehi Egbase
Lionel E Giron

## Judge Sheri Bluebond, Presiding Courtroom 1539 Calendar

Wednesday, November 10, 2021

**Hearing Room** 

1539

<u>10:00 AM</u>

# 2:21-12761 Advanced Environmental Group LLC

Chapter 11

#4.00 Trustee's Motion For Order:

- (1) Authorizing Assumption And Assignment Of Bare Boat (Barge) Charter And Bare Boat (Tug) Charter To Delos Eco Barge Ii, LLC;
- (2) Authorizing Assumption And Assignment And/Or Transfer Of Berth Agreements And/Or Estates Rights Therein To Delos;
- (3) Authorizing Grant Of License To Delos To Use Debtors Patented Advanced Maritime Emission Control System;
- (4) Approving Related Assignment And License Agreement;
- (5) Waiving 14-Day Automatic Stay Of Order Granting Motion
- (6) Granting Ancillary Relief [OST]

fr. 10-27-21

Docket 188

### **Courtroom Deputy:**

ZoomGov Appearance by:

11/8/21 - Eve Karasik

11/8/21 - Jeffrey Kwon

11/8/21 - Brian Ladin

11/9/21 - Corey Weber

11/9/21 - Frencesco Suglia

## Judge Sheri Bluebond, Presiding Courtroom 1539 Calendar

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1539

10:00 AM

## **CONT...** Advanced Environmental Group LLC

Chapter 11

11/9/21- Leslie Cohen

11/9/21- Daniel Weintraub

11/9/21 - Gregory Jones

11/9/21 - Asa Hami

11/10/21- Joseph Walsh

11/10/21 - Douglas Neistat

11/10/21 - Richard Golubow

### **Tentative Ruling:**

Tentative Ruling for October 27, 2021:

Many of the parties in interest were served with notice of the hearing by overnight mail on October 25, 2021. The proof of service does not specify whether the trustee requested that the deliveries occur by 9:00 a.m. Therefore, it is not clear whether the parties served in this manner received notice that their responses were due by 4 pm on October 26 before or after 4 pm on October 26. (Pac6 and the City/Port of Long Beach received notice by email on October 25, 2021.)

The motion makes sense and appears to be in the best interest of the estate, and court understands the need for urgency here in light of the effective date of the order granting relief from stay, but is this amount of notice really sufficient to provide due process here? How is Pac6 to assess in a meaningful manner whether there is likely to be adequate assurance of future performance from the proposed assignee of the bare boat charters (barge and tug)? Will the Port of Long Beach have an adequate opportunity to raise any concerns that it may have with regard to the proposed assignment of the berth assignment agreements? (Obviously, the assignee could apply for its own temporary berth assignments, but the court assumes that the assignee would like to be able to leave the two vessels in the slips that they currently occupy.)

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## **CONT...** Advanced Environmental Group LLC

Chapter 11

The best result would be for Pac6 to agree that it will not exercise any of its rights or remedies for a period of two to three weeks so that parties in interest can resolve any issues that may be raised by the proposed agreements in the interim.

Hearing required.

-----

Final Ruling for October 27, 2021:

Continue hearing to November 10, 2021 at 10:00 a.m. Pac6 agrees not to exercise remedies in interim. Trustee to file and serve any replies by November 5, 2021.

\_\_\_\_\_

Tentative Ruling for November 10, 2021:

What, if anything, new has transpired since last hearing? Hearing required.

### **Party Information**

### **Debtor(s):**

Advanced Environmental Group Represented By

Leslie A Cohen

**Trustee(s):** 

Gregory Kent Jones (TR) Represented By

Daniel A Lev Asa S Hami

## Judge Sheri Bluebond, Presiding Courtroom 1539 Calendar

Wednesday, November 10, 2021

**Hearing Room** 

1539

10:00 AM

2:21-12761 Advanced Environmental Group LLC

Chapter 11

#5.00 Motion to Withdraw as Attorney

fr. 11-3-21

Docket 180

### **Courtroom Deputy:**

ZoomGov Appearance by:

11/9/21 - Frencesco Suglia

11/9/21- Leslie Cohen

11/9/21- Daniel Weintraub

11/9/21 - Gregory Jones

11/9/21 - Asa Hami

11/10/21- Joseph Walsh

11/10/21 - Douglas Neistat

11/10/21 - Richard Golubow

### **Tentative Ruling:**

Tentative Ruling for November 3, 2021:

Has counsel advised debtor in writing that it will not be permitted to appear in court or participate in these proceedings without the assistance of counsel? Hearing required.

\_\_\_\_\_

Final Ruling for November 3, 2021:

Continue hearing to November 10, 2021 at 10:00 a.m. to give debtor an

Judge Sheri Bluebond, Presiding Courtroom 1539 Calendar

Wednesday, November 10, 2021

**Hearing Room** 

1539

10:00 AM

CONT... Advanced Environmental Group LLC

Chapter 11

opportunity to persuade movant to withdraw motion.

-----

Tentative Ruling for November 10, 2021:

What, if anything, new has transpired since last hearing? Hearing required.

# **Party Information**

**Debtor(s):** 

Advanced Environmental Group Represented By

Leslie A Cohen

Movant(s):

Leslie Cohen Law, PC Pro Se

**Trustee(s):** 

Gregory Kent Jones (TR) Represented By

Daniel A Lev

# Judge Sheri Bluebond, Presiding Courtroom 1539 Calendar

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10:00 AM

2:21-12761 Advanced Environmental Group LLC

Chapter 11

#6.00 Scheduling and Case Management Conference in a SubChapter V Chapter 11 Case

fr. 8-18-21, 9-1-21, 11-3-21

Docket 1

## **Courtroom Deputy:**

ZoomGov Appearance by:

11/9/21 - Frencesco Suglia

11/9/21- Leslie Cohen

11/9/21- Daniel Weintraub

11/9/21 - Gregory Jones

11/9/21 - Asa Hami

11/10/21- Joseph Walsh

11/10/21 - Douglas Neistat

11/10/21 - Richard Golubow

### **Tentative Ruling:**

Revisit status of case after conclusion of hearing on related matters.

## **Party Information**

### **Debtor(s):**

Advanced Environmental Group

Represented By Leslie A Cohen

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10:00 AM

**CONT...** Advanced Environmental Group LLC

**Chapter 11** 

**Trustee(s):** 

Gregory Kent Jones (TR)

Pro Se

## Judge Sheri Bluebond, Presiding Courtroom 1539 Calendar

Wednesday, November 10, 2021

**Hearing Room** 

1539

10:00 AM

2:21-12762 Advanced Cleanup Technologies, Inc.

Chapter 11

#7.00 Motion to Withdraw as Attorney

fr. 11-3-21

Docket 123

### **Courtroom Deputy:**

ZoomGov Appearance by:

11/9/21 - Frencesco Suglia

11/9/21- Leslie Cohen

11/9/21- Daniel Weintraub

11/9/21 - Gregory Jones

11/9/21 - Asa Hami

11/10/21- Joseph Walsh

11/10/21 - Douglas Neistat

11/10/21 - Richard Golubow

### **Tentative Ruling:**

Tentative Ruling for November 3, 2021:

Has counsel advised debtor in writing that it will not be permitted to appear in court or participate in these proceedings without the assistance of counsel? Hearing required.

\_\_\_\_\_

Final Ruling for November 3, 2021:

Continue hearing to November 10, 2021 at 10:00 a.m. to give debtor an

## Judge Sheri Bluebond, Presiding Courtroom 1539 Calendar

Wednesday, November 10, 2021

**Hearing Room** 

1539

10:00 AM

**CONT...** Advanced Cleanup Technologies, Inc.

Chapter 11

opportunity to persuade movant to withdraw motion.

-----

Tentative Ruling for November 10, 2021:

What, if anything, new has transpired since last hearing? Hearing required.

# **Party Information**

**Debtor(s):** 

Advanced Cleanup Technologies, Represented By

Leslie A Cohen

Movant(s):

Leslie Cohen Law, PC Pro Se

**Trustee(s):** 

Gregory Kent Jones (TR) Represented By

Daniel A Lev

## Judge Sheri Bluebond, Presiding Courtroom 1539 Calendar

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10:00 AM

2:21-12762 Advanced Cleanup Technologies, Inc.

Chapter 11

#8.00 Scheduling and Case Management Conference in a Chapter 11 Case

FR. 8-18-21, 9-1-21, 11-3-21

Docket 1

## **Courtroom Deputy:**

ZoomGov Appearance by:

11/9/21 - Frencesco Suglia

11/9/21- Leslie Cohen

11/9/21- Daniel Weintraub

11/9/21 - Gregory Jones

11/9/21 - Asa Hami

11/10/21- Joseph Walsh

11/10/21 - Douglas Neistat

11/10/21 - Richard Golubow

## **Tentative Ruling:**

Revisit status of case after conclusion of hearing on related matters.

## **Party Information**

### **Debtor(s):**

Advanced Cleanup Technologies, Represented By

Leslie A Cohen

### **Trustee(s):**

CASE REOP/CONV/OR CLOSED

Pro Se

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**CONT...** Advanced Cleanup Technologies, Inc.

**Chapter 11** 

## Judge Sheri Bluebond, Presiding Courtroom 1539 Calendar

Wednesday, November 10, 2021

**Hearing Room** 

1539

11:00 AM

## 2:21-10335 Coldwater Development LLC

Chapter 11

#100.00

Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: Parcels in Beverly Hills, California

MOVANT: GIVE BACK, LLC.

fr. 3-30-21, 5-11-21, 5-26-21, 7-14-21, 9-1-21, 10-27-21

Docket 59

## **Courtroom Deputy:**

ZoomGov Appearance by:

11/9/21 - Alan Martin

11/9/21 - Mitchell E. Rishe

11/9/21 - Jesse Finlayson

11/9/21- Jeffrey Reeves

11/9/21 - Aram Ordubegian

### **Tentative Ruling:**

Tentative Ruling for March 30, 2021:

Grant motion insofar as it requests comfort order clarifying that automatic stay does not preclude movant from exercising its rights and remedies as against nondebtors under its guaranties and membership interest pledge agreements.

Debtors response to the motion is that there is a sizeable equity cushion, based upon its appraisal; however, opposition does not dispute or even respond to movant's contention that the value of movant's collateral is declining in value due to debtors' continuing failure to pay real estate taxes. Trustee's sale guaranties reflect that all of the properties are tax defaulted for

Judge Sheri Bluebond, Presiding Courtroom 1539 Calendar

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11:00 AM

## **CONT...** Coldwater Development LLC

Chapter 11

nonpayment of taxes going back to 2018. (Accrual of interest on debtors' obligations to movant does not constitute a loss in value for which movant is entitled to receive adequate protection.)

Court acknowledges that, even if there is no equity in property, as these lots are the debtors' only assets, they are necessary to any possible reorganization, but the Court is not yet in a position to determine whether any reorganization is likely to occur within a reasonable period. Court is not inclined to schedule an evidentiary hearing as to the value of the property, as the court will not rely on the existence of an equity cushion as adequate protection when there is an actual and quantifiable diminution in value occurring due to the nonpayment of real property taxes and the accrual of interest thereon.

What is the aggregate amount of real estate taxes currently outstanding with regard to the lots and at what rate do these unpaid taxes accrue interest? How much more in real estate taxes will become delinquent if not paid by April 10? If debtors want an opportunity to try to reorganize their affairs in chapter 11, they will need to at least keep the size of the debt senior to movant from increasing while they attempt to do so.

Enter adequate protection order that conditions continuation of the automatic stay on the debtors' remaining current with post-petition real estate taxes and making monthly payments to movant in an amount that is not less than the amount of interest and penalties that are accruing monthly on the unpaid real property taxes.

Set continued hearing on balance of relief requested in motion for approximately 90 days, by which time court should have a better sense of whether there is likely to be a reorganization within a reasonable period.

\_\_\_\_\_

Final Ruling for March 30, 2021 (see order entered April 1, 2021):

Court entered adequate protection order requiring debtors to pay \$55,261.26 to lender by close of business on April 9, 2021. (Lender will promptly pay taxes and bear responsibility for any penalties if real property taxes not paid by April 10, 2021.) If debtors don't pay this amount by April 9, 2021, debtors

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# **CONT...** Coldwater Development LLC

Chapter 11

must pay this amount plus an additional \$5,526.10 by April 15, 2021. In addition, debtors must pay \$22,972.26 by April 15, 2021 and \$7,657.42 by the 15th of each calendar month thereafter. Payments must be by wire or other immediately available funds. Debtors can have one 14-day cure period. Continue hearing on balance of relief to May 11, 2021 at 10:00 a.m.

-----

Tentative Ruling for May 11, 2021:

Docket does not reflect the filing of any declarations re default, and debtor filed status report reflecting that required payments have been made. Debtor requests that hearing be taken off calendar, but court intentionally set a continued hearing to consider the issue of whether the debtor is likely to be able to propose a confirmable plan within a reasonable period. What progress has the debtor made toward confirmation of a plan in this chapter 11 case? Hearing required.

\_\_\_\_\_

Tentative Ruling for May 26, 2021:

Debtor claims to be in compliance with adequate protection order. Revisit motion after conclusion of status conference.

-----

Tentative Ruling for July 14, 2021:

Provided debtor remains current on adequate protection order, revisit motion after conclusion of hearing on related matters on calendar.

\_\_\_\_\_

Final Ruling for July 14, 2021:

Continue hearing to September 1, 2021 at 10:00 a.m.

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Tentative Ruling for November 10, 2021:

Provided debtor remains current on adequate protection order, revisit motion after conclusion of hearing on related matters on calendar.

**Party Information** 

**Los Angeles** 

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**CONT...** Coldwater Development LLC

**Chapter 11** 

**Debtor(s):** 

Coldwater Development LLC Represented By

Aram Ordubegian M Douglas Flahaut Annie Y Stoops Dylan J Yamamoto

Movant(s):

Give Back LLC Represented By

Daniel A Lev

Ronald N Richards

## Judge Sheri Bluebond, Presiding Courtroom 1539 Calendar

Wednesday, November 10, 2021

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## 2:21-10335 Coldwater Development LLC

Chapter 11

#101.00 Status Conference re: Debtor's Motion For An Order:

- (1) Authorizing Bidding Procedures For The Sale Of Estate Property
- (2) Approving The Sale Of Property Under 11 U.S.C. § 363 Free And Clear Of Liens, Claims, And Encumbrances, Subject To Higher And Better Offers
- (3) Approving The Form And Manner Of Notice

fr. 9-1-21, 10-27-21

Docket 83

### **Courtroom Deputy:**

6/23/21 - Debtor's First Amended Motion Filed

ZoomGov Appearance by:

11/9/21 - Alan Martin

11/9/21 - Mitchell E. Rishe

11/9/21 - Jesse Finlayson

11/9/21- Jeffrey Reeves

11/9/21 - Aram Ordubegian

### **Tentative Ruling:**

Tentative Ruling from September 1, 2021:

Court rejects Give Back's contention that, because it holds a lien on all of the lots owned by the debtors, that the debtors may not sell less than all of the lots without its consent. If a debtor can demonstrate that a sale free and clear is appropriate under section 363(f), the fact that the asset to be sold is less

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## **CONT...** Coldwater Development LLC

Chapter 11

than all of the lender's collateral is irrelevant.

Further, the Court will not let Give Back advance the argument that the debtor is precluded from selling free and clear of other lender's secured claims. That is an argument for them to advance, not Give Back. If they are not objecting to a sale free and clear (or to the debtor's contention that their liens are the subject of a bona fide dispute), court will not permit Give Back to advance this argument.

None of the cases cited by Give Back for the proposition that a dispute as to the amount of a debt cannot qualify as a bona fide dispute for the purpose of satisfying the requirements of section 363(f)(4) are binding on this court, and none of these cases stands for the proposition that the dispute must relate to perfection or ownership of the debt. This court is satisfied that a dispute as to the validity and enforceability of various charges asserted by the lender in its calculation of the amount of the debt can satisfy the requirements of section 363(f)(4). There is a pending state court action based on this dispute and the lender has not succeeded in having this lawsuit summarily dismissed. The court need not adjudicate the merits of the dispute in order to assess whether or not the dispute is bona fide, but the court is satisfied that, here, Give Back's interest is the subject of a bona fide dispute.

Moreover, based on the calculations the debtor has provided, and the significantly reduced broker's fee that the debtor has negotiated (and the fact that real estate taxes cannot be double-counted -- that is, included as a lien that must be satisfied as well as added to the balance due the lender), it does appear that there will be sufficient proceeds available to satisfy Give Back's lien in full. Therefore, a sale free and clear of Give Back's lien appears warranted under section 363(f)(3) as well.

Court is not persuaded that the debtor can sell free and clear of Give Back's lien under section 363(f)(5). Prior to the BAP's ruling in Clear Channel, this court read section 363(f)(5) as standing for the proposition that a sale free and clear may be authorized under this section unless the objecting party holds an interest that gives rise to a right of specific performance. The BAP rejected this approach in Clear Channel, and there does not appear to be another mechanism under applicable nonbankruptcy law pursuant to which

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## **CONT...** Coldwater Development LLC

Chapter 11

Give Back could be compelled to accept less than payment in full as a monetary satisfaction of its claim. However, this is irrelevant because, as set forth above, it appears that the court may approve a sale free and clear under either section 363(f)(3) or section 363(f)(4).

Court need not finally adjudicate the amount of Give Back's claim in order to proceed with a sale. In the context of credit bidding, it is appropriate to permit Give Back to credit bid only the undisputed portion of its claim. Any other approach would be unworkable and ill-advised. If Give Back wants to bid more than this amount, it will need to bid the amount of any such excess in cash, but, if Give Back is the successful bidder and prevails when the claim dispute is resolved, any excess funds would be returned to Give Back.

Court rejects the "artificial floor" argument advanced by Give Back as a basis for disapproving a sale. If Give Back believes that the purchase price proposed in the Option A sale is artificially inflated and that the proposed purchaser either does not exist or does not intend to perform, the solution for Give Back is simple. It should not credit bid. There is no reason for Give Back to bid, either through a credit bid or a bid that is part cash and part credit, an amount that exceeds whatever Give Back believes the property is worth. If the court were to approve the Option A sale to PCV, one of two things will be true -- either PCV will perform or it will not. If PCV fails to perform, the estate will still own the property, and the estate will be enhanced by the now nonrefundable deposit of \$1.5M. If PCV performs, there will be sufficient funds available to satisfy Give Back's claim in full. (Even if Give Back believes that its claim will exceed the amount of the net proceeds, it will still have four additional lots available as collateral. And even if Give Back is correct in asserting that the value of these lots will be reduced because they will become land-locked, it is hard to imagine that these lots will be worth less than the amount necessary to satisfy what Give Back contends would be the remainder of its claim.)

Therefore, the only issue that concerns the court at this point is whether or not PCV has permitted Give Back to conduct discovery to obtain information of the kind that the Court has advised must be disclosed. Has Give Back been provided any additional information? And, if so, what, if anything, of note did this additional information reveal? As the Court has previously

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# **CONT...** Coldwater Development LLC

Chapter 11

advised, the court will not approve a proposed sale to PCV unless PCV is forthcoming in providing Give Back with information of the kind set forth in this Court's June 15, 2021 order denying Give Back's application for an order shortening time.

Hearing required.

(NOTE: Because court will not approve a sale to PCV under Option A unless it is persuaded that the parties are acting in good faith and have made sufficient disclosures, it would be appropriate for an order approving the sale to include a 363(m) finding. However, in light of Give Back's opposition to the sale, court would not include a waiver of the 14-day stay.

If court does not approve Option A, court will grant request that it schedule an auction for all 6 lots as set forth in Option B of the amended motion.)

-----

Final Ruling for September 1, 2021:

See order entered September 17, 2021. Court denied the motion with regard to the sale of the debtor's two lots to Pacific Green Vista. Court scheduled a hearing with regard to the sale of the debtor's six lots for October 27, 2021 at 11:00 a.m. Court approved bidding procedures and set a deadline of December 13, 2021 for the filing of a declaratory relief action as to the disposition of PGV's \$1.5M deposit.

\_\_\_\_\_

Tentative Ruling for October 27, 2021:

Grant motion. Approve sale to highest bidder free and clear of liens, including the newly discovered liens, with the liens to attach to the sale proceeds with the same validity and priority that they had as against the property. Are there any qualified bidders? Does Give Back intend to credit bid? Hearing required.

-----

Final Ruling for October 27, 2021:

Continue hearing to November 10, 2021 at 11:00 a.m. to give new bidder an opportunity to ascertain whether it is willing to move forward with transaction.

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## **CONT...** Coldwater Development LLC

Chapter 11

Court advised that it would be likely to require that a (refundable) deposit be made (of either \$1.5M or \$3M) not later than November 17, 2021 if prospective purchaser would like more time to conduct due diligence.

-----

Tentative Ruling for November 10, 2021:

What, if anything, has transpired since last hearing? Is Sahara Construction interested in moving forward with an acquisition? Hearing required.

# **Party Information**

### **Debtor(s):**

Coldwater Development LLC Represented By

Aram Ordubegian M Douglas Flahaut Annie Y Stoops Dylan J Yamamoto

### **Movant(s):**

Coldwater Development LLC Represented By

Aram Ordubegian M Douglas Flahaut Annie Y Stoops Dylan J Yamamoto

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2:21-10335 Coldwater Development LLC

Chapter 11

#102.00 Scheduling and Case Management Conference in a Chapter 11 Case

fr. 3-3-21, 5-26-21, 7-14-21, 9-1-21, 10-27-21

Docket 1

## **Courtroom Deputy:**

ZoomGov Appearance by:

11/9/21 - Alan Martin

11/9/21 - Mitchell E. Rishe

11/9/21 - Jesse Finlayson

11/9/21- Jeffrey Reeves

11/9/21 - Aram Ordubegian

### **Tentative Ruling:**

Set deadline for debtor to file notice of bar date and bar date. If debtors are able to arrange for refinancing for their properties, would this case remain in chapter 11 or do the debtors anticipate being in a position to move to dismiss these cases? Hearing required.

3/8/21 -- Court approved scheduling order with following dates:

L/D to file proofs of claim -- 4/30/21

L/D for governmental units to file proofs of claim -- 7/14/21

L/D to serve notice of bar date -- 3/8/21

Cont'd status conference -- 5/26/21 at 11:00 a.m.

L/D to file updated status report -- 5/14/21

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Tentative Ruling for May 26, 2021:

Judge Sheri Bluebond, Presiding Courtroom 1539 Calendar

Wednesday, November 10, 2021

**Hearing Room** 

1539

11:00 AM

## **CONT...** Coldwater Development LLC

Chapter 11

According to declaration from debtor's counsel, on May 11, 2021, he received proof from the escrow company that the earnest money deposit of \$1.5M had been deposited into escrow. Proposed buyer was also suposed to sign a purchase agreement by that date. Has that occurred? If not, when is this supposed to occur? And how long does the buyer have to complete its due diligence? Hearing required.

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Tentative Ruling for July 14, 2021:

Revisit status of case after conclusion of hearing on proposed sale.

\_\_\_\_\_

Tentative Ruling for September 1, 2021:

Continue case status conference to date of hearing on sale of 6 lots -- October 27, 2021 at 11:00 a.m. Debtor should file updated status report not later than October 15, 2021.

\_\_\_\_\_

Tentative Ruling for November 10, 2021:

Revisit status of case after conclusion of related hearings on calendar.

### **Party Information**

#### **Debtor(s):**

Coldwater Development LLC

Represented By
Aram Ordubegian
M Douglas Flahaut
Annie Y Stoops
Dylan J Yamamoto

Los Angeles Judge Sheri Bluebond, Presiding Courtroom 1539 Calendar

Wednesday, November 10, 2021

**Hearing Room** 

1539

2:00 PM

2:18-20688 Raymond A Fernandez

Chapter 7

#200.00 Trustee's Final Report and Applications for Compensation

Docket 40

\*\*\* VACATED \*\*\* REASON: APPROVED. APPEARANCES WAIVED.

**Courtroom Deputy:** 

- NONE LISTED -

**Tentative Ruling:** 

Approve trustee's final report in full. APPEARANCES WAIVED. TRUSTEE IS AUTHORIZED TO UPLOAD ORDER CONSISTENT WITH TENTATIVE.

# **Party Information**

**Debtor(s):** 

Raymond A Fernandez Represented By

Christie Cronenweth

**Trustee(s):** 

David M Goodrich (TR)

Represented By

Richard H Golubow

Los Angeles Judge Sheri Bluebond, Presiding Courtroom 1539 Calendar

Wednesday, November 10, 2021

**Hearing Room** 

1539

2:00 PM

2:20-11197 Maria Ana Belen A. Gregorio

Chapter 7

#201.00 Trustee's Final Report and Applications for Compensation

Docket 76

\*\*\* VACATED \*\*\* REASON: APPROVED. APPEARANCES WAIVED.

**Courtroom Deputy:** 

- NONE LISTED -

**Tentative Ruling:** 

Approve trustee's final report in full. APPEARANCES WAIVED. TRUSTEE IS AUTHORIZED TO UPLOAD ORDER CONSISTENT WITH TENTATIVE.

### **Party Information**

**Debtor(s):** 

Maria Ana Belen A. Gregorio Represented By

James D. Hornbuckle

**Trustee(s):** 

John P Pringle (TR) Represented By

Michelle A Marchisotto

Los Angeles Judge Sheri Bluebond, Presiding Courtroom 1539 Calendar

Wednesday, November 10, 2021

**Hearing Room** 

1539

2:00 PM

2:20-20367 Nelba Salgado Lozano

Chapter 7

#202.00 Trustee's Final Report and Applications for Compensation

Docket 32

\*\*\* VACATED \*\*\* REASON: APPROVED. APPEARANCES WAIVED.

**Courtroom Deputy:** 

- NONE LISTED -

**Tentative Ruling:** 

Approve trustee's final report in full. APPEARANCES WAIVED. TRUSTEE IS AUTHORIZED TO UPLOAD ORDER CONSISTENT WITH TENTATIVE.

# **Party Information**

**Debtor(s):** 

Nelba Salgado Lozano Represented By

Jonathan Hidalgo - SUSPENDED -

**Trustee(s):** 

Peter J Mastan (TR) Pro Se

Judge Sheri Bluebond, Presiding Courtroom 1539 Calendar

Wednesday, November 10, 2021

**Hearing Room** 

1539

2:00 PM

2:16-19896 Lite Solar Corp.

Chapter 7

#203.00

First Interim Application for Compensation and Reimbursement of Expenses for LEA Accountancy, LLP, Accountant, Period: 3/7/2019 to 10/19/2021

[Fees requested: \$20,677.00, Expenses: \$508.01]

Docket 414

\*\*\* VACATED \*\*\* REASON: GRANTED. APPEARANCES WAIVED.

## **Courtroom Deputy:**

- NONE LISTED -

## **Tentative Ruling:**

Grant application. Allow on interim basis fees of \$20,677 and costs of \$508.01. Ratify payments made to date and authorize payment of remaining balance due on pro rata basis from available funds. APPEARANCES WAIVED. APPLICANT IS AUTHORIZED TO LODGE ORDER(S) GRANTING APPLICATION(S) ON TERMS CONSISTENT WITH TENTATIVE RULING.

## **Party Information**

### **Debtor(s):**

Lite Solar Corp. Represented By

Leslie A Cohen Stephen A. Weaver

**Trustee(s):** 

Brad D Krasnoff (TR)

Represented By

Eric P Israel Aaron E DE Leest

Sonia Singh

Judge Sheri Bluebond, Presiding Courtroom 1539 Calendar

Wednesday, November 10, 2021

**Hearing Room** 

1539

2:00 PM

2:16-19896 Lite Solar Corp.

Chapter 7

#204.00

First Interim Application for Compensation and Reimbursement of Expenses for Danning, Gill, Israel & Krasnoff LLP, General Counsel, Period: 11/1/2018 to 9/30/2021

[Fees requested: \$289,500.50, Expenses: \$4,590.21]

Docket 416

\*\*\* VACATED \*\*\* REASON: GRANTED. APPEARANCES WAIVED.

### **Courtroom Deputy:**

- NONE LISTED -

### **Tentative Ruling:**

Grant application. Allow on interim basis fees of \$289,500.50 and costs of \$4,590.21. Ratify payments made to date and authorize payment of allowed costs in full and remaining balance of fees on a pro rata basis from available funds (which the trustee reports will be \$110,000). APPEARANCES WAIVED. APPLICANT IS AUTHORIZED TO LODGE ORDER(S) GRANTING APPLICATION(S) ON TERMS CONSISTENT WITH TENTATIVE RULING.

### **Party Information**

### **Debtor(s):**

Lite Solar Corp. Represented By

Leslie A Cohen Stephen A. Weaver

Trustee(s):

Brad D Krasnoff (TR)

Represented By

Eric P Israel Aaron E DE Leest Sonia Singh